

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION

Earl Gavin,)	Civil Action No.: 7:18-cv-00523-AMQ-JDA
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
Experian Information Solutions Inc.,)	
Trans Union LLC, Equifax Inc.,)	
)	
Defendants.)	
)	

Plaintiff filed this action on February 22, 2018. On March 26, 2018, Defendant Equifax Inc. ("Equifax") filed a motion to dismiss. [Doc. 20.] By Order of this Court filed the same day, pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), Plaintiff was advised of the summary judgment/dismissal procedure and the possible consequences if he failed to respond adequately. [Doc. 22.] Despite these explanations, Plaintiff has not responded to the motion. Therefore,

IT IS ORDERED that Plaintiff shall have through June 14, 2018, in which to file his response to the motion to dismiss. Plaintiff is advised that if he fails to respond, this action will be subject to dismissal with respect to Equifax for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b), and for failure to comply with this Court's orders, pursuant to Rule 41(b) and the factors outlined in *Chandler Leasing Corp. v. Lopez*, 669 F.2d 919, 920 (4th Cir.1982). See *Ballard v. Carlson*, 882 F.2d 93 (4th Cir. 1989). The dismissal will be considered an adjudication on the merits, i.e., *with prejudice*.

IT IS SO ORDERED.

s/Jacquelyn D. Austin
United States Magistrate Judge

May 25, 2018
Greenville, South Carolina